## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PETER R. SEAMON, : No. 3:23cv543

Plaintiff

(Judge Munley)

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JOSH SHAPIRO, et al.,

V.

**Defendants** 

## <u>ORDER</u>

Before the court for disposition is Magistrate Judge Susan E. Schwab's report and recommendation dated January 23, 2024, which proposes the dismissal of Plaintiff Peter R. Seamon's *pro se* amended complaint, without leave to amend.

No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); <u>see also</u> 28 U.S.C. § 636(b)(1); <u>Sullivan v. Cuyler</u>, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

- 1) The magistrate judge's report and recommendation (Doc. 11) is **ADOPTED**;
- 2) The plaintiff's amended complaint (Doc. 10) is DISMISSED; and
- 3) The Clerk of Court is directed to close this case.

Date: February 8, 2024 BY THE COURT:

s/ Julia K. Munley
JUDGE JULIA K. MUNLEY
United States District Court